

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>UNITED STATES OF AMERICA,</b>	:	
	:	
<b>Plaintiff,</b>	:	
	:	<b>CASE NO. 2:24-cr-60</b>
<b>v.</b>	:	
	:	<b>CHIEF JUDGE SARAH D. MORRISON</b>
<b>NICHOLAS P. DUTY,</b>	:	
	:	
<b>Defendant.</b>	:	

**MOTION OF DEFENDANT TO CONTINUE FINAL PRE-TRIAL DATE**

Now comes Defendant, Nicholas P. Duty, by and through Counsel Mark C. Collins and Kaitlyn C. Stephens, who hereby requests at brief continuance of the final pre-trial date. The Government is in agreement with said request and the Defendant continues to waive time. The reasons in support of this motion are set forth in the following memorandum in support.

Respectfully submitted,

/s/ Mark C. Collins

**MARK C. COLLINS (0061207)**

/s/ Kaitlyn C. Stephens

**KAITLYN C. STEPHENS (0095589)**

COLLINS & STEPHENS CO., LPA  
150 E. Mound St., Suite 308  
Columbus, Ohio 43215  
(614) 443-3100 (614) 413-3902 – Fax  
[mark@mcollinslaw.com](mailto:mark@mcollinslaw.com)  
[kaitlyn@mcollinslaw.com](mailto:kaitlyn@mcollinslaw.com)

*Attorneys for Defendant, Nicholas P. Duty*

**MEMORANDUM IN SUPPORT**

Now comes the Defendant, Nicholas P. Duty, by and through his attorneys, Mark C. Collins,

and Kaitlyn C. Stephens, and hereby requests a short continuance of the final pre-trial date. It is Defense Counsel's understanding that the Defendant executed the plea agreement last week, and mailed it to Defense Counsel from Butler County, Ohio on December 30, 2025. However, Defense Counsel has not yet received that executed plea agreement, most likely due to the holidays and inclement weather in Southwest, Ohio. Defendant, by and through Counsel, hereby continues to waive speedy trial rights in the above-styled case.

Therefore, Defense Counsel formally moves to continue the instant matter currently set before this Honorable Court on January 8, 2025, at 130 P.M.. Based on the interests of justice, Defense Counsel requests that this Honorable Court grant said request to continue the final pre-trial date, as a plea agreement will be filed in this matter and the Defendant will be entering a guilty plea. Again, this request is consented and agreed by Assistant United States Attorneys, Kevin Kelley, and Emily Czerniejewski.

Respectfully submitted,

/s/ Mark C. Collins

**MARK C. COLLINS (0061207)**

/s/ Kaitlyn C. Stephens

**KAITLYN C. STEPHENS (0095589)**

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[mark@mcollinslaw.com](mailto:mark@mcollinslaw.com)  
[kaitlyn@mcollinslaw.com](mailto:kaitlyn@mcollinslaw.com)

*Attorneys for Defendant, Nicholas P. Duty*

**CERTIFICATE OF SERVICE**

I hereby certify that on January 7, 2025, I electronically filed the foregoing document using

the CM/ECF System, which will send notification of such filing to **Assistant United States Attorneys, Kevin Kelley, and Emily Czerniejewski.**

/s/ Mark C. Collins

**MARK C. COLLINS (0061207)**